

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

| | | |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| v. |) | |
| |) | Case No. 1:14-cr-175 (AJT) |
| JAMES THOMAS MCBRIDE, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER

On August 13, 2014, after a jury trial, Defendant James Thomas McBride was found guilty of six criminal counts: conspiracy, in violation of Title 18, United States Code, Section 371 (Count I); causing the impersonation of a diplomat, in violation of Title 18, United States Code, Sections 915 & 2 (Count II); and producing false identification documents, in violation of Title 18, United States Code, Section 1028(a)(1) & (2) (Counts III–VI). On December 12, 2014, Defendant was sentenced to a term of imprisonment for forty-two months, and one year of supervised release. [Doc. No. 135].

Defendant has now filed a Motion to Dismiss under Rule 12(b)(1) & (6) [Doc. No. 168] and a Request for Entry of Default [Doc. No. 169] (collectively, the “Motions”). Upon consideration of the Motions, the Court finds that Defendant has failed to allege any facts or cognizable legal theories that would entitle him to any relief. Accordingly, it is hereby


ORDERED that Defendant’s Motion to Dismiss under Rule 12(b)(1) & (6) [Doc. No. 168] be, and the same hereby is, DENIED; and it is further

ORDERED that Defendant’s Request for Entry of Default [Doc. No. 169] be, and the same hereby is, DENIED.

This is a final order for purposes of appeal. To appeal, Defendant must file a written Notice of Appeal with the Clerk of the Court within thirty (30) days of the date of this Order. A

Notice of Appeal is a short statement stating a desire to appeal an order and identifying the date of the order Defendant wishes to appeal. Failure to file a timely Notice of Appeal waives Defendant's right to appeal this decision.

The Clerk is directed to forward copies of this Order to all counsel of record and to Defendant, *pro se*.


_____/s/_____
Anthony J. Trenga
United States District Judge

Alexandria, Virginia
December 4, 2019